



Girls for Gender Equity Testimony on ACS Know Your Rights & Advocacy Bills New York City Council Committee on General Welfare

Delivered by Quadira Coles, Policy Manager

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Good Afternoon Chair Levin, Council Members, and staff of the New York City Council Committee on General Welfare. Thank you for taking the time to hold this hearing. My name is Quadira Coles and I am the Policy Manager at Girls for Gender Equity (GGE).

GGE is an intergenerational, advocacy and youth development organization that is committed to the physical, psychological, social, and economic development of girls and women. GGE is committed to challenging structural forces, including racism, sexism, transphobia, homophobia, and economic inequality, which constrict the freedom, full expression, and rights of transgender and cisgender girls and young women of color, and gender non-conforming youth of color.

It should not be news to you that girls in foster care experience exacerbated disadvantages and are systematically marginalized. The New York City foster care system disenfranchises Black girls, they are more likely to be removed from their familial environments due to issues of neglect, that are often problems arising from poverty. Interlocking systems of oppression manifested in housing discrimination, educational inequities, incarceration, and policing result in Black and Latinx families being disproportionately targeted by child welfare agencies. We understand that the overwhelming surveillance and city supervision of Black children, together with pervasive stereotypes about criminality and maternal irresponsibility, sustain the harmful collaboration between the policing and child welfare systems.¹ In this way, city systems function to punish Black families and communities, and subsequently blame them for their own marginalization.

GGE therefore pushes for systemic reform addressing the inherent issues of racism and sexism within these government service organizations and their policies. GGE firmly believes that every effort should be made to keep girls in their most desired environment and prioritizing their voices throughout the process. GGE works everyday to secure the protection and respect of girls of color and GNC youth, particularly Black girls.

The child welfare system is riddled with inequities, specifically impacting girls of color. There is unsettling data about the general child welfare system that posits a need for rigorous oversight and management of ACS. For instance, according to national data:

¹ Roberts, D. (2012). Prison, Foster Care, and the Systemic Punishment of Black Mothers. *UCLA Law Review*, 59: 1474-1500.

- Black girls makeup 22.9% of girls in foster care.²
- 35.6% of girls who move to at least 10 different residential centers are Black.³
- School suspension rates differed among those in foster care and students who are not: 25% of girls in foster care were suspended compared to the 10% of girls not in foster care.⁴
- About 30-40% of children in foster care qualify for specialized educational services but only about 16% receive them.⁵

It is not unlikely that trends in New York City mirror these national statistics. GGE strongly recommends that the Council require ACS to report out data about the racial and gender breakdown of people impacted by ACS investigations, interventions and removals.

According to ACS's September Flash Report, allegations of neglect made up 65% of all reported allegations.⁶ While the behavior which constitutes abuse is in the law, the neglect clause is incredibly vague, resulting in ACS conflating poverty with neglect. Many of these neglect removals can be attributed to poverty: inability to afford childcare, parents juggling schedules of multiple jobs and school drop-off, unreasonably high rents, and the expense of food.

While in foster care, girls experience high rates of abuse and sexual violence and are more likely to ultimately become involved in the juvenile justice system.⁷ Girls in foster care have their education disrupted due to missing early childhood educational opportunities, changing schools, stricter discipline and pushout than their peers not in foster care, and not receiving IEPs when needed.⁸

ACS is finally taking steps to address some of the gender-specific disparities that disproportionately experienced by girls of color in foster care. GGE has been asked to offer the city's first-ever gender-responsive diversion program for young women and girls in the juvenile justice system as an alternative to placement for young people assigned to juvenile detention, and/or otherwise referred by ACS. GGE will partner with STEPS to End Family Violence to offer a new approach to services for girls as part of a three-year demonstration project. We will develop a dedicated program for our young people rooted in social justice education, organizing, and advocacy, alongside STEPS to End Family Violence who will provide comprehensive wraparound services - including court support. This program aims to serve 48 girls every year. Thanks to the additional fiscal support of the City Council through the Alternatives to Incarceration Initiative, GGE will be able to provide the full scope of services that we know are necessary for girls to not only participate, but thrive in our program.

² National Women's Law Center. (2017). "Stopping School Pushout for: Girls in Foster Care" Accessed: <https://nwl.org/resources/stopping-school-pushout-for-girls-in-foster-care/>.

³ *Ibid.*

⁴ *Ibid.*

⁵ *Ibid.*

⁶ NYC Administration for Children's Services. (September 2019). Flash Report: monthly indicator. Accessed: <https://www1.nyc.gov/assets/acs/pdf/data-analysis/flashReports/2019/09.pdf>.

⁷ Human Rights Project for Girls, Georgetown Law Center on Poverty and Inequality, Ms. Foundation for Women. (2015). The Sexual Abuse to Prison Pipeline: The Girls Story. Accessed: https://rights4girls.org/wp-content/uploads/r4g/2015/02/2015_COP_sexual-abuse_layout_web-1.pdf

⁸ National Women's Law Center. (2017). *See note at 6.*

Today, this Committee is putting forward a bill package that GGE generally supports, with suggestions of small, yet important changes:

- GGE supports efforts to bring greater transparency to disparities at each step in the child welfare system, and we urge the Council to ensure these are public-facing, machine readable, and easily accessible reports.
- With regard to Intro 1717-2019, we ask that the responsibility to address racial and income disparities in the child welfare system not fall exclusively under the purview of ACS.
- In reference to the Parents' Bill of Rights (Int 1736-2019, Res 736-2019), it is crucial to ensure language access and availability and visibility of these resources. ACS must commit to providing parents, families, and impacted young people greater access to information clarifying their rights. We encourage the adoption of a more aggressive media campaign from ACS to demonstrate good faith efforts in ensuring families know their rights.

We thank the New York City Council for the opportunity to share our work and for your commitment to addressing these important issues.